

PTO Form 1957 (Rev 9/2005)

OMB No. 0851-0050 (Exp. 04/2009)

Response to Office Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	76608435
LAW OFFICE ASSIGNED	LAW OFFICE 104
MARK SECTION (no change)	
ARGUMENT(S)	
<p style="text-align: center;"><u>REQUEST FOR RECONSIDERATION</u></p> <p>This submission is in response to the Office Action mailed October 20, 2006 (Final Office Action) with respect to the above-captioned mark. Simultaneously herewith, the Applicant has filed a Notice of Appeal with the Trademark Trial and Appeal Board.</p> <p style="text-align: center;"><u>REMARKS</u></p> <p>Applicant seeks to register the mark ASHLEY B for “[c]lothing; namely swim wear, hats, belts, ties, scarves, dresses, sweaters, suits, pants, jeans, vests, tops, shirts, shorts, blazers and skorts; outerwear, namely jackets, coats, vests, raincoats, and wind-resistant jackets, whether made of or with down, polyfill, silk, leather, fur-lined, fur, cotton, and other fabric and material, or any combinations thereof” in International Class 25 (hereinafter, the “Applicant’s Mark”). The Examining Attorney has refused registration on the ground that the Applicant’s Mark so closely resembles Registration No. 1,582,474 for the mark ASHLEY B., owned by Key Item Sales, Inc. (hereinafter “Key Item Sales”) for “jewelry, namely, earrings, necklaces, bracelets” (hereinafter, the “Jewelry Mark”), that it is likely to cause confusion, mistake or deceive under Trademark Act Section 2(d), 15 U.S.C. 1052(d). Applicant respectfully requests reconsideration of the refusal to register.</p> <p style="text-align: center;"><u>ARGUMENT</u></p> <p>Applicant’s mark is not likely to cause confusion with the Cited Marks under Section 2(d) of the</p>	

Trademark Act. The test for likelihood of confusion under Section 2(d) is “whether the purchasing public would mistakenly assume that the applicant’s goods or services originate with, are sponsored by, or are in some way associated with the goods *sold under the cited registration*.” 3 J. Thomas McCarthy, McCarthy On Trademarks and Unfair Competition § 23:78 (citing *FBI v. Societe: “M.Brill & Co.”*, 172 U.S.P.Q. 310 (T.T.A.B. 1971)) (emphasis added). In order to find a likelihood of confusion, the cited mark must be in use in commerce or otherwise not abandoned.

**There Is No Likelihood Of Confusion With Abandoned Marks:
The Jewelry Mark is No Longer in Use in Commerce and Has Been Abandoned**

Section 1127 of the Trademark Act states that a mark is “abandoned” if “its use has been discontinued with intent not to resume such use,” with such intent to be “inferred from circumstances.” Moreover, “[n]onuse for 3 consecutive years shall be prima facie evidence of abandonment,” and “use” of the mark “means the bona fide use of such mark made in the ordinary course of trade, and not made merely to reserve a right in a mark.” 15 U.S.C. § 1127.

The Jewelry Mark is no longer in use anywhere on or in Key Item Sales’ online store, www.memorymakerbracelet.com, created on April 22, 2003,[1] nor does it appear to be used on or in connection with any of the goods listed in the registration for the Jewelry Mark or Key Item Sales’ business. See *Shutterbug: Manufacturers and Distributors PMA International 2004*, available at http://www.shutterbug.com/show_reports/0604sb_manufacturers/ (last viewed Apr. 18, 2007) (attached hereto as Exhibit B) (listing the website for Key Item Sales, Inc. as www.memorymakerbracelet.com); *Memory Maker Bracelets Legal Message*, available at <http://www.memorymakerbracelet.com/store/legal.php> (last viewed Apr. 17, 2007) (attached hereto as Exhibit C) (noting that Memory Maker is a division of Key Item Sales, Inc. and that “Memory Maker” is a registered trademark (Reg. No. 2,867,607)); *Photo novelties*, available at http://pma2005.pmai.org/convention_daily/dproduct.asp?g=Photo+novelties&dtb=2%2F17%2F2005&dte=2%2F23%2F2005 (last viewed Apr. 17, 2007) (attached hereto as Exhibit D) (noting that Memory Maker is a division of Key Item Sales Inc. and directing interested consumers to the website www.memorymakerbracelet.com; no mention of the Jewelry Mark anywhere); *Memory Maker Bracelets*, available at <http://www.memorymakerbracelet.com> (last viewed Apr. 17, 2007)

(attached hereto as Exhibit E) (the homepage for Memory Maker, it sells various items of jewelry and like items, including bracelets, keychains, watches, pendants, cell phone charms, pins, and birthstone charms, but none of the products offered for sale, nor gift certificates to Memory Maker, make any reference to the Jewelry Mark, though other registered and common law trademarks are noted as such, including "Memory Maker" and "EZ Fit," and other themes/brands, including "Birthstone Brats" and "A Charmed Life").

Instead, Key Item Sales uses only the name "Key Item Sales" and the mark "Memory Maker," also the name of a division of Key Item Sales, Inc., in connection with its business, its products sold on its website, and its products that are sold on third party websites. *See* Memory Maker Photo Pin/Frame by: Key Item Sales, Inc., *available at* <http://www.babyant.com/bn023358.html> (last viewed Apr. 17, 2007) (attached hereto as Exhibit F) (selling a pin that can

hold photographs under the names Memory Maker and Key Item Sales, Inc., with no mention of the Jewelry Mark anywhere); Key Item Sales, Inc. Memory Maker Charmed Life Bracelets – #1 Mom, *available at* <http://www.wolfcamera.com/product/EP8846956.htm> (last viewed Apr. 17, 2007)

(attached hereto as Exhibit G) (selling "stretchy bracelets ... with beads metal charms and a photo charm" under the names Key Item Sales, Inc. and Memory Maker, with no mention of the Jewelry Mark anywhere); Memory Maker Key Chain w/Frame Charm – Dog, *available at*

<http://store.scrapjazz.com/309616.html> (last viewed Apr. 17, 2007) (attached hereto as Exhibit H) (selling a key chain with a charm and a photo frame attached under the name Memory Maker and under the "Brand" Key Item Sales, Inc., with no mention of the Jewelry Mark anywhere).

It appears clear that Key Item Sales no longer uses the Jewelry Mark on or in connection with any of the goods cited in its registration, nor does it use the Jewelry Mark on or in connection with its business. It may be inferred from the evidence cited above that Key Item Sales has abandoned the Jewelry Mark. As the Jewelry Mark is no longer used in commerce and has been abandoned, there can be no likelihood of confusion between that mark and the Applicant's Mark, and, since the Jewelry Mark is the only mark now cited against the Applicant's Mark, the Applicant respectfully submits that there is no longer any basis for a likelihood of confusion refusal.

Coexistence Agreements Between The Applicant And Registrants:

The Applicant and Key Item Sales, Inc. are Negotiating Coexistence Agreements

Moreover, one of the factors pertinent to a likelihood of confusion analysis is the presence of coexistence agreements between the applicant and owners of the cited marks. *In re E.I. DuPont de Nemours & Co.*, 476 F.2d 1357, 1361 (C.C.P.A. 1973). Where parties “familiar with trade and market practices” enter into a consent agreement, confusion between the marks at issue is unlikely and the applicant should be allowed to register its mark. *In re Four Seasons Hotels Ltd.*, 987 F.2d 1565, 1567 (Fed. Cir. 1993); *see also Amalgamated Bank of New York v. Amalgamated Trust & Savings Bank*, 842 F.2d 1270, 1275 (Fed. Cir. 1988) (citing *In re E.I. DuPont de Nemours & Co.*, 476 F.2d at 1363) (“Decisions of men who stand to lose if wrong are normally more reliable than those of examiners and judges.”); *Bongrain Int’l (Am.) Corp. v. Delice de France, Inc.*, 811 F.2d 1479, 1484–85 (Fed. Cir. 1987) (“We have often said, in trademark cases involving agreements reflecting parties’ views on the likelihood of confusion in the marketplace, that they are in a much better position to know the real life situation than bureaucrats or judges and therefore such agreements may ... carry great weight[.]”); *In re N.A.D., Inc.*, 754 F.2d 996, 998–99 (Fed. Cir. 1985).

The Applicant, through its counsel, is currently in negotiations with Key Item Sales, Inc., the owner of the Jewelry Mark, to enter into a consent agreement with regards to the Applicant’s Mark and the Jewelry Mark. Accordingly, the Jewelry Mark should not bar registration of the Applicant’s Mark. In the alternative, and in order to give the parties time to finalize a consent agreement, the Applicant respectfully requests that the Examining Attorney issue a three month suspension in connection with this application for the ASHLEY B mark in which to resolve the matter between the parties.

* * *

CONCLUSION

Based upon the foregoing, Applicant respectfully submits that the Applicant's Mark is entitled to registration on the Principal Register.

[1] Network Solutions WHOIS Search for memorymakerbracelet.com, available at <http://www.networksolutions.com/whois/results.jsp?domain=memorymakerbracelet.com>, conducted Apr. 18, 2007 (attached hereto as Exhibit A).

EVIDENCE SECTION

EVIDENCE FILE NAME(S)	
ORIGINAL PDF FILE	http://teasgate/PDF/ROA/2007/04/20/20070420160800022216-76608435-001_001/evi_3811218420-155833095_-_Request_for_Reconsideration_-_Exhibits.pdf
CONVERTED PDF FILE(S), (32 pages)	\\TICRS2\EXPORT12\766\084\76608435\xml1\ROA0002.JPG
	\\TICRS2\EXPORT12\766\084\76608435\xml1\ROA0003.JPG
	\\TICRS2\EXPORT12\766\084\76608435\xml1\ROA0004.JPG
	\\TICRS2\EXPORT12\766\084\76608435\xml1\ROA0005.JPG
	\\TICRS2\EXPORT12\766\084\76608435\xml1\ROA0006.JPG
	\\TICRS2\EXPORT12\766\084\76608435\xml1\ROA0007.JPG
	\\TICRS2\EXPORT12\766\084\76608435\xml1\ROA0008.JPG
	\\TICRS2\EXPORT12\766\084\76608435\xml1\ROA0009.JPG
	\\TICRS2\EXPORT12\766\084\76608435\xml1\ROA0010.JPG
	\\TICRS2\EXPORT12\766\084\76608435\xml1\ROA0011.JPG
	\\TICRS2\EXPORT12\766\084\76608435\xml1\ROA0012.JPG

	<u>\\TICRS2\EXPORT12\766\084\76608435\xml1\ROA0013.JP</u> <u>G</u>
	<u>\\TICRS2\EXPORT12\766\084\76608435\xml1\ROA0014.JP</u> <u>G</u>
	<u>\\TICRS2\EXPORT12\766\084\76608435\xml1\ROA0015.JP</u> <u>G</u>
	<u>\\TICRS2\EXPORT12\766\084\76608435\xml1\ROA0016.JP</u> <u>G</u>
	<u>\\TICRS2\EXPORT12\766\084\76608435\xml1\ROA0017.JP</u> <u>G</u>
	<u>\\TICRS2\EXPORT12\766\084\76608435\xml1\ROA0018.JP</u> <u>G</u>
	<u>\\TICRS2\EXPORT12\766\084\76608435\xml1\ROA0019.JP</u> <u>G</u>
	<u>\\TICRS2\EXPORT12\766\084\76608435\xml1\ROA0020.JP</u> <u>G</u>
	<u>\\TICRS2\EXPORT12\766\084\76608435\xml1\ROA0021.JP</u> <u>G</u>
	<u>\\TICRS2\EXPORT12\766\084\76608435\xml1\ROA0022.JP</u> <u>G</u>
	<u>\\TICRS2\EXPORT12\766\084\76608435\xml1\ROA0023.JP</u> <u>G</u>
	<u>\\TICRS2\EXPORT12\766\084\76608435\xml1\ROA0024.JP</u> <u>G</u>
	<u>\\TICRS2\EXPORT12\766\084\76608435\xml1\ROA0025.JP</u> <u>G</u>
	<u>\\TICRS2\EXPORT12\766\084\76608435\xml1\ROA0026.JP</u> <u>G</u>
	<u>\\TICRS2\EXPORT12\766\084\76608435\xml1\ROA0027.JP</u> <u>G</u>
	<u>\\TICRS2\EXPORT12\766\084\76608435\xml1\ROA0028.JP</u> <u>G</u>
	<u>\\TICRS2\EXPORT12\766\084\76608435\xml1\ROA0029.JP</u> <u>G</u>
	<u>\\TICRS2\EXPORT12\766\084\76608435\xml1\ROA0030.JP</u> <u>G</u>
	<u>\\TICRS2\EXPORT12\766\084\76608435\xml1\ROA0031.JP</u> <u>G</u>

	\\TICRS2\EXPORT12\766\084\76608435\xml1\ROA0032.JPG
	\\TICRS2\EXPORT12\766\084\76608435\xml1\ROA0033.JPG
DESCRIPTION OF EVIDENCE FILE	Exhibits
SIGNATURE SECTION	
RESPONSE SIGNATURE	/Jennifer Co/
SIGNATORY'S NAME	Jennifer Co
SIGNATORY'S POSITION	Attorney for Applicant
DATE SIGNED	04/20/2007
AUTHORIZED SIGNATORY	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Fri Apr 20 16:08:00 EDT 2007
TEAS STAMP	USPTO/ROA-38.112.184.20-2 0070420160800022216-76608 435-370466f246b4d4d97d5df 90b67e1d8949fc-N/A-N/A-20 070420155833095070

PTO Form 1957 (Rev 9/2005)

OMB No. 0651-0050 (Exp. 04/2009)

Response to Office Action**To the Commissioner for Trademarks:**

Application serial no. **76608435** has been amended as follows:

Argument(s)

In response to the substantive refusal(s), please note the following:

REQUEST FOR RECONSIDERATION

This submission is in response to the Office Action mailed October 20, 2006 (Final Office Action) with respect to the above-captioned mark. Simultaneously herewith, the Applicant has filed a Notice of Appeal with the Trademark Trial and Appeal Board.

REMARKS

Applicant seeks to register the mark ASHLEY B for “[c]lothing; namely swim wear, hats, belts, ties, scarves, dresses, sweaters, suits, pants, jeans, vests, tops, shirts, shorts, blazers and skorts; outerwear, namely jackets, coats, vests, raincoats, and wind-resistant jackets, whether made of or with down, polyfill, silk, leather, fur-lined, fur, cotton, and other fabric and material, or any combinations thereof” in International Class 25 (hereinafter, the “Applicant’s Mark”). The Examining Attorney has refused registration on the ground that the Applicant’s Mark so closely resembles Registration No. 1,582,474 for the mark ASHLEY B., owned by Key Item Sales, Inc. (hereinafter “Key Item Sales”) for “jewelry, namely, earrings, necklaces, bracelets” (hereinafter, the “Jewelry Mark”), that it is likely to cause confusion, mistake or deceive under Trademark Act Section 2(d), 15 U.S.C. 1052(d). Applicant respectfully requests reconsideration of the refusal to register.

ARGUMENT

Applicant’s mark is not likely to cause confusion with the Cited Marks under Section 2(d) of the Trademark Act. The test for likelihood of confusion under Section 2(d) is “whether the purchasing public would mistakenly assume that the applicant’s goods or services originate with, are sponsored by, or are in some way associated with the goods *sold under the cited registration*.” 3 J. Thomas McCarthy, McCarthy On Trademarks and Unfair Competition § 23:78 (citing *FBI v. Societe: “M.Brill & Co.”*, 172 U.S.P.Q. 310 (T.T.A.B. 1971)) (emphasis added). In order to find a likelihood of confusion, the cited mark must be in use in commerce or otherwise not abandoned.

There Is No Likelihood Of Confusion With Abandoned Marks: The Jewelry Mark is No Longer in Use in Commerce and Has Been Abandoned

Section 1127 of the Trademark Act states that a mark is “abandoned” if “its use has been discontinued with intent not to resume such use,” with such intent to be “inferred from circumstances.” Moreover, “[n]onuse for 3 consecutive years shall be prima facie evidence of abandonment,” and “use” of the mark “means the bona fide use of such mark made in the ordinary course of trade, and not made merely to reserve a right in a mark.” 15 U.S.C. § 1127.

The Jewelry Mark is no longer in use anywhere on or in Key Item Sales’ online store, www.memorymakerbracelet.com, created on April 22, 2003,[1] nor does it appear to be used on or in connection with any of the goods listed in the registration for the Jewelry Mark or Key Item Sales’

business. See Shutterbug: Manufacturers and Distributors PMA International 2004, *available at* http://www.shutterbug.com/show_reports/0604sb_manufacturers/ (last viewed Apr. 18, 2007) (attached hereto as Exhibit B) (listing the website for Key Item Sales, Inc. as www.memorymakerbracelet.com); Memory Maker Bracelets Legal Message, *available at* <http://www.memorymakerbracelet.com/store/legal.php> (last viewed Apr. 17, 2007) (attached hereto as Exhibit C) (noting that Memory Maker is a division of Key Item Sales, Inc. and that "Memory Maker" is a registered trademark (Reg. No. 2,867,607)); Photo novelties, *available at* http://pma2005.pmai.org/convention_daily/dproduct.asp?g=Photo+novelties&dtb=2%2F17%2F2005&dte=2%2F23%2F2005 (last viewed Apr. 17, 2007) (attached hereto as Exhibit D) (noting that Memory Maker is a division of Key Item Sales Inc. and directing interested consumers to the website www.memorymakerbracelet.com; no mention of the Jewelry Mark anywhere); Memory Maker Bracelets, *available at* <http://www.memorymakerbracelet.com> (last viewed Apr. 17, 2007) (attached hereto as Exhibit E) (the homepage for Memory Maker, it sells various items of jewelry and like items, including bracelets, keychains, watches, pendants, cell phone charms, pins, and birthstone charms, but none of the products offered for sale, nor gift certificates to Memory Maker, make any reference to the Jewelry Mark, though other registered and common law trademarks are noted as such, including "Memory Maker" and "EZ Fit," and other themes/brands, including "Birthstone Brats" and "A Charmed Life").

Instead, Key Item Sales uses only the name "Key Item Sales" and the mark "Memory Maker," also the name of a division of Key Item Sales, Inc., in connection with its business, its products sold on its website, and its products that are sold on third party websites. See Memory Maker Photo Pin/Frame by: Key Item Sales, Inc., *available at* <http://www.babyant.com/bn023358.html> (last viewed Apr. 17, 2007) (attached hereto as Exhibit F) (selling a pin that can hold photographs under the names Memory Maker and Key Item Sales, Inc., with no mention of the Jewelry Mark anywhere); Key Item Sales, Inc. Memory Maker Charmed Life Bracelets – #1 Mom, *available at* <http://www.wolfcamera.com/product/EP8846956.htm> (last viewed Apr. 17, 2007) (attached hereto as Exhibit G) (selling "stretchy bracelets ... with beads metal charms and a photo charm" under the names Key Item Sales, Inc. and Memory Maker, with no mention of the Jewelry Mark anywhere);

Memory Maker Key Chain w/Frame Charm – Dog, available at <http://store.scrapjazz.com/309616.html> (last viewed Apr. 17, 2007) (attached hereto as Exhibit H) (selling a key chain with a charm and a photo frame attached under the name Memory Maker and under the “Brand” Key Item Sales, Inc., with no mention of the Jewelry Mark anywhere).

It appears clear that Key Item Sales no longer uses the Jewelry Mark on or in connection with any of the goods cited in its registration, nor does it use the Jewelry Mark on or in connection with its business. It may be inferred from the evidence cited above that Key Item Sales has abandoned the Jewelry Mark.

As the Jewelry Mark is no longer used in commerce and has been abandoned, there can be no likelihood of confusion between that mark and the Applicant’s Mark, and, since the Jewelry Mark is the only mark now cited against the Applicant’s Mark, the Applicant respectfully submits that there is no longer any basis for a likelihood of confusion refusal.

**Coexistence Agreements Between The Applicant And Registrants:
The Applicant and Key Item Sales, Inc. are Negotiating Coexistence Agreements**

Moreover, one of the factors pertinent to a likelihood of confusion analysis is the presence of coexistence agreements between the applicant and owners of the cited marks. *In re E.I. DuPont de Nemours & Co.*, 476 F.2d 1357, 1361 (C.C.P.A. 1973). Where parties “familiar with trade and market practices” enter into a consent agreement, confusion between the marks at issue is unlikely and the applicant should be allowed to register its mark. *In re Four Seasons Hotels Ltd.*, 987 F.2d 1565, 1567 (Fed. Cir. 1993); *see also Amalgamated Bank of New York v. Amalgamated Trust & Savings Bank*, 842 F.2d 1270, 1275 (Fed. Cir. 1988) (citing *In re E.I. DuPont de Nemours & Co.*, 476 F.2d at 1363) (“Decisions of men who stand to lose if wrong are normally more reliable than those of examiners and judges.”); *Bongrain Int’l (Am.) Corp. v. Delice de France, Inc.*, 811 F.2d 1479, 1484–85 (Fed. Cir. 1987) (“We have often said, in trademark cases involving agreements reflecting parties’ views on the likelihood of confusion in the marketplace, that they are in a much better position to know the real life situation than bureaucrats or judges and therefore such agreements may ... carry great weight[.]”); *In re N.A.D., Inc.*, 754 F.2d 996, 998–99 (Fed. Cir. 1985).

The Applicant, through its counsel, is currently in negotiations with Key Item Sales, Inc., the owner of the Jewelry Mark, to enter into a consent agreement with regards to the Applicant’s Mark and the

Jewelry Mark. Accordingly, the Jewelry Mark should not bar registration of the Applicant's Mark. In the alternative, and in order to give the parties time to finalize a consent agreement, the Applicant respectfully requests that the Examining Attorney issue a three month suspension in connection with this application for the ASHLEY B mark in which to resolve the matter between the parties.

* * *

CONCLUSION

Based upon the foregoing, Applicant respectfully submits that the Applicant's Mark is entitled to registration on the Principal Register.

[1] Network Solutions WHOIS Search for memorymakerbracelet.com, *available at* <http://www.networksolutions.com/whois/results.jsp?domain=memorymakerbracelet.com>, conducted Apr. 18, 2007 (attached hereto as Exhibit A).

Evidence

Evidence in the nature of Exhibits has been attached.

Original PDF file:

http://teasgate/PDF/ROA/2007/04/20/20070420160800022216-76608435-001_001/evi_3811218420-155833095_Request_for_Reconsideration_-_Exhibits.pdf

Converted PDF file(s) (32 pages)

Evidence-1

Evidence-2

Evidence-3

Evidence-4

Evidence-5

Evidence-6

Evidence-7

Evidence-8

Evidence-9

Evidence-10

Evidence-11

Evidence-12

Evidence-13

Evidence-14

Evidence-15

Evidence-16

Evidence-17

Evidence-18

Evidence-19

Evidence-20

Evidence-21

Evidence-22

Evidence-23

Evidence-24

Evidence-25

Evidence-26

Evidence-27

Evidence-28

Evidence-29

Evidence-30

Evidence-31Evidence-32**Response Signature**

Signature: /Jennifer Co/ Date: 04/20/2007

Signatory's Name: Jennifer Co

Signatory's Position: Attorney for Applicant

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

Serial Number: 76608435

Internet Transmission Date: Fri Apr 20 16:08:00 EDT 2007

TEAS Stamp: USPTO/ROA-38.112.184.20-2007042016080002

2216-76608435-370466f246b4d4d97d5df90b67

e1d8949fc-N/A-N/A-20070420155833095070

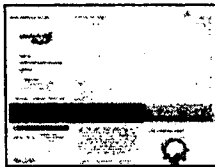
EXHIBIT A

[Login](#)[Your cart](#)

NetworkSolutions

WHOIS Search Results

WHOIS Record For

**memorymakerbracelet.com**

Services from Network Solutions:

[Certified Offer Service](#) - Let us help you get this domain name![SSL Certificates](#) - Get peace of mind with a secure certificate.[Site Confirm Seals](#) - Display a security seal and gain visitor trust.

Free Webinar

Search Engine Opti

April 24th 2PM EST

Email Marketing

April 26th 2PM EST

The data contained in GoDaddy.com, Inc.'s Whois database, while believed by the company to be reliable, is provided "as is" with no guarantee or warranties regarding its accuracy. This information is provided for the sole purpose of assisting you in obtaining information about domain name registration records. Any use of this data for any other purpose is expressly forbidden without the prior written permission of GoDaddy.com, Inc. By submitting an inquiry, you agree to these terms of usage and limitations of warranty. In particular, you agree not to use this data to allow, enable, or otherwise make possible, dissemination or collection of this data, in part or in its entirety, for any purpose, such as the transmission of unsolicited advertising and solicitations of any kind, including spam. You further agree not to use this data to enable high volume, automated or robotic electronic processes designed to collect or compile this data for any purpose, including mining this data for your own personal or commercial purposes.

Please note: the registrant of the domain name is specified in the "registrant" field. In most cases, GoDaddy.com, Inc. is not the registrant of domain names listed in this database.

Registrant:

Domains by Proxy, Inc.
DomainsByProxy.com
15111 N. Hayden Rd., Ste 160, PMB 353
Scottsdale, Arizona 85260

See

United States

Registered through: GoDaddy.com, Inc. (<http://www.godaddy.com>)

Domain Name: MEMORYMAKERBRACELET.COM

Created on: 22-Apr-03

Expires on: 22-Apr-13

Last Updated on: 14-Jan-07

Administrative Contact:

Private, Registration MEMORYMAKERBRACELET.COM@domainsbyproxy.com

Domains by Proxy, Inc.

DomainsByProxy.com

15111 N. Hayden Rd., Ste 160, PMB 353

Scottsdale, Arizona 85260

United States

(480) 624-2599 Fax -- (480) 624-2599

Technical Contact:

Private, Registration MEMORYMAKERBRACELET.COM@domainsbyproxy.com

Domains by Proxy, Inc.

DomainsByProxy.com

15111 N. Hayden Rd., Ste 160, PMB 353

Scottsdale, Arizona 85260

United States

(480) 624-2599 Fax -- (480) 624-2599

Domain servers in listed order:

NS.CIHOST.COM

NS2.CIHOST.COM

The previous information has been obtained either directly from the registrant or a registrar of the domain name other than Network Solutions. Network Solutions, therefore, does not guarantee its accuracy or completeness.

[Show underlying registry data for this record](#)

Current Registrar: GO DADDY SOFTWARE, INC.
IP Address: 64.182.9.138 (ARIN & RIPE IP search)
IP Location: US(UNITED STATES)-ALABAMA-NORTHPORT
Record Type: Domain Name
Server Type: Apache 1
Lock Status: clientDeleteProhibited
Web Site Status: Active
DMOZ: no listings
Y! Directory: [see listings](#)
Web Site Title: Memory Maker Bracelets

Meta Description: Memory Maker Bracelets : Manufactures and sells the Memory Maker Photo Bracelet that can be personalized using your own photos. - Photo Accessories Birthstone Charms ecommerce,

**BUY THE AVAILABLE
EXTENSIONS
FOR THIS DOMAIN NA**

memorymaker... ☒ .r
 memorymaker... ☒ .c
 memorymaker... ☒ .i
 memorymaker... ☒ .t
 memorymaker... ☒ .t
 memorymaker... ☒ .t
 memorymaker... ☒ .c
 memorymaker... ☒ .v
 memorymaker... ☒ .t
 memorymaker... ☒ .v
 memorymaker... ☒ .g
 memorymaker... ☒ .t
 memorymaker... ☒ .r

Continue ➤

SEARCH AGAIN

Enter a search term:

e.g. networksolutions.cc

Search by:

☒ **Domain Name**

☐ **NIC Handle**

☐ **IP Address**

Meta Keywords:

open source, shop, online shopping
Photo Accessories Birthstone Charms ecommerce, open
source, shop, online shopping Manufactures and sells the
Memory Maker Photo Bracelet that can be personalized using
your own photos.

Secure:

No

E-commerce:

Yes

Traffic Ranking:

3

Data as of:

23-Jul-2006

**Need to get your business online?**

Our professional designers
can build a custom Web site
for your business.

\$49.95/month, plus a \$399.00
design fee

**PerformanceClicks™ from Network Solutions**

Create and manage your
online advertising from as low
as \$125/month plus \$99 one
time set-up fee



[Domain Names](#) | [Web Hosting](#) | [Web Design](#) | [SSL Certificates](#) | [Sell Online](#) | [Email Security](#) | [Pay Per Click](#) | [Online Design a Website](#) | [Search Engine Optimization](#) | [Custom Logo Design](#) | [Press Release Services](#) | [Email Account](#) | [Web](#)



"An outstanding c
service experient
J.D. Power and As

© Copyright 2007 Network Solutions. All rights reserved.

EXHIBIT B

Stereophile :: Home Theater :: Ultimate AV :: Audio Video Interiors :: Shutterbug :: Home Entertainment Show

Ads by Google

Online Photo Albums

FlipAlbum - The fun and easy way to share your photos online!
www.FlipAlbum.com

Free Photo Software

Organize, Create, Print, Share. Be more creative. Free download.
www.picabee.com

New Adobe

The Latest V Imaging Tool
www.Adobe.com

SHUTTERBUG



SHOW REPORTS

Manufacturers/Distributors

Shutterbug Staff, June, 2004

ACD Systems
www.acdsystems.com

Advanced Video Inc.
www.transavi.com

Advantus Corporation
www.advantus.com

Aiptek Inc.
www.aiptek.com

Alera Technologies, LLC
www.aleratec.com

APV, Inc.
www.apvphoto.com

ArcSoft, Inc.
www.arcsoft.com

Argraph Corporation
(M-Rock, Samigon, Seahorse)
www.adi-digital.com

Better Light, Inc.
www.betterlight.com

Bogen Imaging Inc. (Kata, Manfrotto)
www.bogenimaging.us



Booth Photographic Ltd.
www.boothphoto.com

Bower, Inc.
www.bowerusa.com

Brandess-Kalt-Aetna Group, Inc. (Digital Pursuits, E-Z, Pelican, SP Studio Systems, Ultra Pod, Zygo)
www.bkaphoto.com

Bushnell Performance Optics
www.bushnell.com

Cameras Up
www.camerasup.com

Canon U.S.A., Inc.
www.usa.canon.com
www.powershot.com

Casio, Inc.
www.casiouusa.com

Ceiva Logic, Inc.
www.ceiva.com

Celestron
www.celestron.com

Chimera Lighting
www.chimeralighting.com

Concord Camera Corp.
www.concord-camera.com

Creo Americas, Inc.
www.creo.com

Daylab
www.daylab.com

Delkin Devices, Inc.
www.delkin.com

DigiPower (Mizco International)
www.digipower.solutions.com
www.mizco.com

DO Labs
www.dolabs.com

Duracell
www.duracell.com

DXG USA
www.dxgtechusa.com

Eastman Kodak Company
www.kodak.com

EQUIPMENT REVIEW

- >Recent Additions
- CAMERAS**
- >Amateur Digital SLR
- >Pro-Quality Digital
- >Compact Digicams
- >35mm Cameras
- >Medium & Large Fo Systems

TECHNIQUES

- > Pro Techniques
- > Digital Darkroom
- > Portraiture
- > Sports/Action

SITE FEATURES

- INTERACTIVE FEATURES**
- > Forums
- > Galleries
- > Vote
- > Previous Votes

LATEST NEWS

- > Photo News
- > Past eNewsletters

SPOTLIGHTS

- > Free Aperture Sem
- > DLP... See It
- > XM Experience

REFRESHING COURSE

- > Outdoor Tips
- > Travel Tips
- > Portrait Tips
- > Sports Tips

MORE ARTICLES FOR

- > Instant Links
- > Editor's Notes
- > Talking Pictures
- > Picture This!
- > Features
- > Book Reviews
- > Student Union
- > Point of View
- > Web Profiles
- > Exhibits
- > Photo Clubs
- > News & Notes

STAY INFORMED

SERVICES

- > Gold Member Prog
- > Dealer Locator
- > Catalog Showcase
- > Shutterbug Shopp
- > Photo Lab Showc
- > Service Directory
- > Free Product Info
- > Classifieds

Energizer (Eveready Battery Co., Inc.)
www.energizer.com

Epson America, Inc.
www.epson.com

ErgoSoft
www.ergosoftus.com

Extensis, Inc.
www.extensis.com

EZ PnP
www.ezpnp-usa.com

FDK America (Fujitsu Batteries)
www.fdk.com

Ferrania Imaging Technologies
www.ferraniait.com

Foveon, Inc.
www.foveon.com

Fuji Photo Film U.S.A., Inc.
www.fujifilm.com

GretagMacbeth
www.gretagmacbeth.com

Hahnemühle Fine Art USA
www.hahnemuhle.com

Hasselblad USA Inc.
www.hasselbladusa.com

Hewlett-Packard
www.hp.com

Hi-Touch Imaging Technologies
www.hitouchimaging.com

H&M Systems Software, Inc. (StudioLine)
www.studioline.biz

HP Marketing Corp. (Kaiser, Novoflex)
www.hpmarketingcorp.com

Ilford Imaging USA Inc.
www.ilford.com

Imacon, Inc.
www.imacon.dk

InteliCoat Technologies
www.intelicoat.com

International Paper (Strathmore Artist Paper)
www.strathmoreartist.com

OTHER SITES OF INTEREST

AV SITES

- > Stereophile
- > Home Theater
- > Ultimate AV
- > Audio Video Interim

Free Photo Software
 Organize, Create, Share
 Free download
www.picaboo.com

Free Photo Software
 Download photos
 Not shareware
www.freeriserifsoft.com

International Parkside Products Inc. (Lenspen)
www.lenspen.com

Jasc Software, Inc.
www.jasc.com

Jobo Fototechnic, Inc. (Crumpler)
www.jobo-usa.com

JTL Corporation
www.jtlcorp.com

Key Item Sales, Inc.
www.memorymakerbracelet.com

Kiesel Bags
www.kieselbags.com

Kinetronics Corporation
www.kinetronics.com

Konica Minolta Photo Imaging USA, Inc.
<http://konicaminolta.us>

Kowa Optimed Inc.
www.kowascope.com

Kyocera Optics, Inc. (Contax, Yashica)
www.kyoceraimaging.com

Lee Filters
www.leefiltersusa.com

Leica Camera Inc. (Minox)
www.leica-camera.com

Lenmar Enterprises, Inc.
www.lenmar.com

Lexar Media
www.lexarmedia.com

LowePro USA, Inc.
www.lovepro.com

Lumedyne, Inc.
www.lumedyne.com

Luminos Imaging
www.luminos.com

Lyson Inc.
www.lyson.com

Meade Instruments Corp.
www.meade.com

mediaGear
www.mymediagear.com

Media Street, Inc.
www.mediastreet.com

Microtek Lab, Inc. (subsidiary of Microtek International, Inc.)
www.microtek.com

Moab Paper Company
www.moabpaper.com

Monster Cable Products, Inc.
www.monstercable.com

M-Rock Camera Bags Corporation
www.m-rock.com

Mustek, Inc.
www.mustek.com

NABC (North American Battery Company)
www.nabcorp.com

Neil Enterprises, Inc.
www.neilenterprises.com

nik multimedia, Inc.
www.nikmultimedia.com

Nikon Inc.
www.nikonusa.com

Norazza, Inc.
www.norazza.com

Olympus America Inc. (Olympus Image Systems, Inc.)
www.olympus.com
www.olympusamerica.com

OmegaSatter (Ape, Cloud Dome, Emerging Power)
www.omegasatter.com

One Source Network, Inc.
www.osnusa.com

Pacific Digital
www.pacificdigital.com

Panasonic Consumer Electronics Company
www.panasonic.com

Paterson Photographic Inc. (Interfit)
www.patersonphotographic.com

Pentax USA, Inc.
www.pentaxusa.com

Phase One
www.phaseone.com

Phoenix Corporation of America
www.phoenixcorp.com

Photo Control Corporation
(Go Pod, Norman)
www.photo-control.com

Photographic Solutions, Inc.
www.photosol.com

PhotoVu, LLC
www.photovu.com

Picasa
www.picasa.net

Pioneer Research (SeaLife)
www.pioneer-research.com

Pixology
www.pixology.com

Polaroid Corporation
www.polaroid.com

PQI Corporation
www.pqi1st.com

Print File, Inc.
www.printfile.com

ProQuest/Cokin USA
www.cokin.com

Rollei U.S.A.
www.rollei-usa.com

Sakar International Inc. (Digital Concepts, Tokina)
www.sakar.com

Samsung Opto-Electronics America, Inc.
www.samsungcamerausa.com

SanDisk Corporation
www.sandisk.com

Sigma Corporation
www.sigma-photo.com

SimpleStar, Inc.
www.simplestar.com

SimpleTech, Inc.
www.simpletech.com

Sinar Bron Imaging
www.sinarbron.com

SmartDisk Corporation
www.smartdisk.com

SnapSights Cameras
www.snapsights.com

Sony Electronics, Inc.
www.sony.com

Superior Specialties, Inc.
www.superspec.com

Tamrac, Inc.
www.tamrac.com

Tamron USA Inc. (Bronica)
www.tamron.com

THK Photo Products, Inc.
www.thkphoto.com

The Tiffen Company (Stroboframe)
www.tiffen.com

ToCAD America Inc. (Hakuba, Sunpak, Velbon)
www.tocad.com

Transcend Information Inc.
www.transcendusa.com

Treasure Knit
www.treasureknit.com

Triscape Inc. (FxFoto)
www.fxfoto.com

ULTRAline
www.personalights.com

UMAX Technologies, Inc.
www.umax.com

Uniden America Corp.
www.uniden.com
www.polaroid-digital.com

Uniross Batteries USA
www.uniross-batteries.com

ViaStone (division of Tier1 International, Inc.)
www.viastone.net

Vivitar Corporation
www.vivitar.com

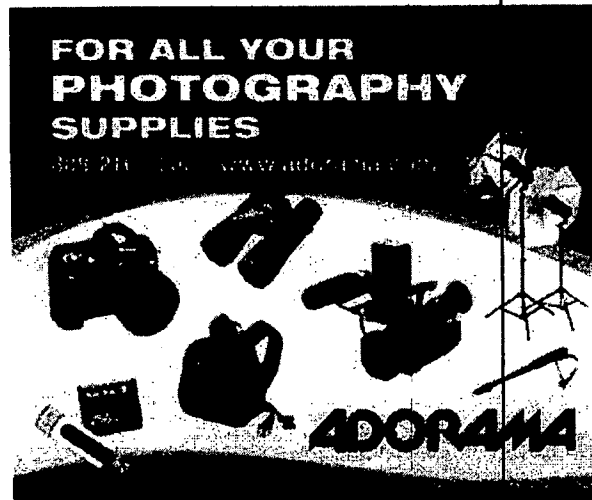
ZTS, Inc.
www.ztsinc.com



SPONSORED LINKS

- **Nikon Camera Accessories**
Shop Photo Pro for Nikon film and digital camera accessories!
PhotoProOnline.com
- **Camera Distributors**
Shop & Save - Photography. Store Ratings, Consumer Reviews.
www.Shopping.com
- **HVAC Contractor**
Contact us for a Free Estimate Get Sears Professional Installation
www.Sears.com
- **Discount Digital Camera**
Shop Name Brand Digital Cameras - Get Low Prices & Fast Shipping!
www.TigerDirect.com
- **CCTV Camera Systems**
Free Quotes from Multiple Vendors. Compare CCTV Systems Prices & Save!
www.BuyerZone.com/cctv

[SAVE THIS](#) [EMAIL THIS](#) [PRINT THIS](#) [MOST POPULAR](#)



Save 62% on Shutterbug!

Subscribe to *Shutterbug* now and receive 12 issues for **ONLY \$17.95** - and **save 62% off the cover price!**

If you're serious about photography you need to subscribe to *Shutterbug*.

Outside the US? [Canada](#) or [International](#)

GIVE A GIFT



Email:

First Name:

Last Name:

Address Line 1:

Address Line 2:

City:

State:

Zip:

Select a
payment option:

☒ Charge my credit card

☐ Bill me later

Do you have a promotional coupon code?

Enter Code:

☒ Please send me special offers and exclusive
promotions from Shutterbug's premiere partners.

Submit Order

[Home/News](#) | [Subscribe](#) | [Give a Gift](#) | [Sub Services](#)
[Media Kit](#) | [Privacy](#) | [Terms of Use](#) | [Contact Us](#)

Copyright © Primedia Magazines, Inc. All rights reserved.

EXHIBIT C

memorymakerbracelet.com



Shopping Bag

MEMORY MAKER BRACELETS LEGAL MESSAGE



Memory Maker®
A division of Key Item Sales, Inc.

All information, documents, products, trademarks, logos, graphics and images (the "Materials"), provided on this Site are the copyrighted work of Key Item Sales, Inc. and/or its licensors. Certain trademarks, trade names, service marks and logos used or displayed on this Web Site are registered and unregistered trademarks, trade names and service marks of Key Item Sales, Inc. or its affiliates. Nothing contained on this Web Site grants or should be construed as granting any license or right to use any trademarks, trade names, service marks, logos graphics or images displayed on this Web Site without the written permission of Key Item Sales, Inc., its affiliates or such third party owner.

- 2 ABOUT US
- 2 EZ FIT™ PHOTO REDUCTION SYSTEM
- 2 FUN STUFF

Shop Now

Photo Accessories-> (76)
Birthstone Charms-> (32)
Specials
print page bookmark send to friend

The EZ FIT PHOTO REDUCTION SYSTEMS holds the following US Patent: US-2004-0226182-A1.

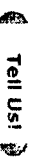
Select Memory Maker® Photo Accessories are covered by one or more of the following US Design Patents D502,661 S, D502,662 S, D503,646 S and US Pat.No. 7028507B2.

Additional patents pending under license of Q.J.D.M.

Bracelets

MEMORY MAKER PROJECTS

Do you have a
Memory Maker
Crafting Project,
Fun Idea or
Great Story? Tell
us about it.



Read other

What is Your
favorite Memory
Maker product?

- ☐ Six Frame Stretch Bracelets
- ☐ Four Frame Stretch Bracelets
- ☐ Sterling Silver Bracelets

Why keep your photos tucked away in an album or a frame when you can take them wherever you go? Memory Maker® photo jewelry and accessories are the perfect way to show off life's special moments! Whether a new baby, once in a life time vacation, favorite pet or magical wedding our desire is the same, we love to share the images with others.

REVIEWS

The New York Times Magazine

"This bracelet is a highlight reel of your family scrapbook to show others in the here and now."

Family Circle

customers fun
ideas here!

- ☐ Charm Bracelets
- ☐ Pendants
- ☐ Key Chains
- ☐ Money Clips

Total votes: 1561 View
results

Creating a unique keepsake is quick, easy and fun! There's no need to search for those locket sized photos any longer. Simple to follow instructions and the EZ Fit™ Photo Reduction System show you how to crop and reduce almost any picture to achieve a perfect fit every time. Best of all, you can change or update pictures as often as you like!

"I like accessories to have personality - mine! Now I can have a bracelet full of my family photos."

MORE REVIEWS


EXTRAS

Coming soon - Beautiful fashion jewelry from Sono Bella!

SONOBELLAJEWELRY.COM

PRODUCT UPDATES

Sign up for notification of new products and special promotions from Memory Maker

 sign up!

[home](#) [cart](#) [account](#) [legal](#) [faq](#) [contact](#) [fundraising](#)

EXHIBIT D

Photo novelties

Photo novelties

Neil Enterprises Inc., Vernon Hills, Ill., USA, (847-549-7627) is introducing several new photo products. The new Neil CD Holder Frame is a translucent black 4-by-6 frame, featuring a snap-in lens cover for ease of assembly that opens to reveal storage for four CDs. It is available in case packs of 12 at a cost of \$3.00 each.

Also new is the Photo Pet Bowl, which comes in two sizes for a 2-7/8-inch diameter or a 3-3/4-inch diameter photo. Each pet bowl features a skid proof bottom ring and is made of durable Lexan plastic. Just rinsing will clean the bowl; it should not be placed in a dishwasher. Photo Pet Bowl is available in cases of 12, at a cost of \$3.50 each for the 2-7/8-inch diameter photo size, and \$4.00 each for the 3-3/4-inch diameter photo size.

Neil Enterprises introduces a new series of frames that reflect the look and feel of scrap booking. The Scrapbook Frame series features designs for 4-by-6 and 6-by-4 photos that have the look and feel of handcrafted frames that are enhanced by a tactile surface. Choose from 14 designs that are available for \$5.00 each in cases of 12.

In addition, Neil Enterprises announces a new design feature to its snow globe frame line. The new Soft Touch snow globes have a pliable surface that is soft to the touch with a full round sphere shape. The globes feature ease of assembly by detaching the base, slipping in one or two 2-by-2-7/8 photos, and snapping the base back on. Five designs are available including one with a black base, a Christmas design with red base and Santa on top, a holiday musical with spinning resin base, an Easter musical with spinning resin base, and an Easter egg parade imprinted base with eggs on top. Each design is sold 12 per case at a cost of \$3.25 each for non-musical and \$7.00 each for the musical designs.

Memory Maker Photo Bracelets are a new line from **Memory Maker**, division of **Key Item Sales Inc.**, Canoga Park, Calif., (818-885-5070), including sterling silver bracelets, charm bracelets, bookmarks, and the all-new Memory Maker for men. Memory Maker is the brainchild of **Abbie Rapport**, who didn't like watching her photos get ruined from constantly pulling of them in and out of her wallet. She began thinking of a better way to show off her children, and that's how the idea for Memory Maker Photo Bracelets came about. For more information, visit www.memorymakerbracelet.com.



Memory Maker offers a variety of photo jewelry.

PersonalizedPillows.com, Dallas, Texas, (214-358-6050), creates one-of-a-kind personalized photo pillows. On Mother's Day, give a pillow with a photo of a baby's first steps, or a pillow with a photograph of a grandchild. Sororities honoring their sisterhood, sports teams celebrating a championship, and families wishing to cherish the events like weddings, christenings, or any occasion are just a few of the options for a personalized pillow.

PersonalizedPillows.com uses high-quality equipment to digitally scan images and even homemade cards or handwritten notes with colorfast imaging. By scanning an original photo, PersonalizedPillows.com captures the uniqueness and individuality of the photo and imprints a timeless memory, says the company. The luxurious feel of a personalized pillow is the result of comforting cotton, decorative ribbon and a personal touch. In addition, the personalization technique has the can be mass produced.

The ordering process from the PersonalizedPillows.com website is quick and simple, with step-by-step, detailed instructions. The site also includes colorful examples of custom-made pillows, as well as answers to frequently asked questions. Orders typically ship within 7-10 business days with several shipping options, ranging from 3-7 business days to next-day air. PersonalizedPillows.com is also interested in affiliate partnerships with businesses. PersonalizedPillows.com is an affiliate of **PersonalizedProducts.com**.

Epson America Inc., Long Beach, Calif., (800-338-2349) announces the debut of the StoryTeller Photo Book Creator, an easy-to-use kit for creating and publishing personalized, hardcover photo books entirely at home that are ideal for gifts or display. StoryTeller Photo Book Creator kits are available in three different versions: a 5-by-7-inch book with 10 pages and an 8-by-10-inch book that is available with 10 pages or 20 pages. Both the 5-by-7-inch and 8-by-10-inch 10-page books hold up to 200 images, and the 8-by-10-inch 20-page book accommodates up to 400 images. Each kit includes easy-to-use EPSON StoryTeller Publisher software with professionally designed page layouts. Also included is the hardcover book with a unique, specially-designed adhesive binding system to hold the printed pages in place. Epson Premium Glossy Photo Paper for exceptional page printing, two glossy book cover sheets with machine scored front and back flaps, and a clear book cover to protect the book round out the kit. StoryTeller Photo Book Creator kits will be available for purchase at retail outlets across the country in late April 2005 for estimated retail prices of \$19.99 for the 5-

by -7-inch version, \$24.99 for the 10-page 8-by-10-inch version, and \$29.99 for the 20-page 8-by-10-inch version.

Send-It Picture Frames, distributed by **Traffic Works Inc.**, Huntington Park, Calif. (323-582-5762), helps customers mail their photos easily to family and friends. A standard 4-by-6 photo is inserted beneath the see-through plastic covering on one side. On the other side is space to write, include an address, and place postage. On the back also is a flap that allows the photo postcard to stand up like a frame vertically or horizontally. Send-It Picture Frames can be mailed anywhere and are designed to let the recipient display the photo easily upon arrival. More information can be received from **knack! LLC**, Beverly Hills, Calif., (888-580-7052) or at www.knackdesigns.com.

Cottage Mills LLC, Waunakee, Wis., (608-850-3660) offers two unique ways to show off photos, PixPen and MagnaFrame. PixPen is a pen that actually functions as a picture frame. Simply unscrew the pen and wrap any photo up to 2 1/2-inch-by-1 3/4-inch (mini wallet size) inside the pen's clear barrel. The pen also has acid-free ink making it suitable for use in scrapbooks. The PixPen suggested retail price is \$5.95 and it will be available May 15.

The MagnaFrame is an adjustable magnetic photo frame construction set and can be assembled in countless configurations displaying up to 12 photos. The MagnaFrame set includes six double-sided magnetic frames that have strong magnets in the corners and eight chrome balls. The 14-piece set come sin an attractive box and has a suggested retail price of \$12.95. It will begin shipping May 15.

Digital Art Production Inc., Hendersonville, N.C., (866-469-7468), a manufacturer and marketer of photo-to-canvas artwork in the United States, introduces my-PhotoArt, a photo-to-canvas product with the look and feel of an oil painting. After scanning in a photo, digital artists paint each image within their computers utilizing proprietary digi-Brush Technology. The artistically painted image is then printed on high quality textured canvas using museum quality, acid free pigmented inks to ensure the longest lasting artistic reproductions possible. Next, a special UV-resistant roll-laminate film is heat applied to each canvas providing maximum protection from the sun, scratching and moisture. The canvas is then stretched and receives an artist-like mounting over an interior wooden frame. Elegant custom frames and gallery-wrapping are available as options. The artwork is then protected, packaged and shipped to the customer including the original photo. A full 100 percent money-back satisfaction guarantee is provided with each work of art. The company has also started offering rugs with photo images.

DAP offers a turnkey my-PhotoArt program for retailers, with no inventory cost, capital investment or product management.

EXHIBIT E

memorymakerbracelet.com



- [ABOUT US](#)
- [EZ FIT™ PHOTO REDUCTION SYSTEM](#)
- [FUN STUFF](#)

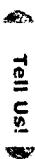
Shop NOW
 Photo Accessories-> (144)
 Birthstone Charms-> (32)
 Gift Certificates (5)
 Specials ...

[print page](#) [bookmark](#) [send to friend](#)

Bracelets

MEMORY MAKER PROJECTS

Do you have a
Memory Maker
 Crafting Project,
 Fun Idea or
 Great Story? Tell
 us about it.



Read other
 customers fun
 ideas here!

- What is your favorite Memory Maker product?**
- ☐ Six Frame Stretch Bracelets
 - ☐ Four Frame Stretch Bracelets
 - ☐ Sterling Silver Charm Bracelets
 - ☐ Pendants
 - ☐ Key Chains

[Shop Photo Accessories](#)



[Shopping Bag](#)



Why keep your photos tucked away in an album or a frame when you can take them wherever you go? Memory Maker® photo jewelry and accessories are the perfect way to show off life's special moments! Whether a new baby, once in a life time vacation, favorite pet or magical wedding our desire is the same, we love to share the images with others.

Creating a unique keepsake is quick, easy and fun! There's no need to search for those locket sized photos any longer. Simple to follow instructions and the EZ Fit™ Photo

FEATURED [MORE]



A Charmed Life - Grandmas Are Great!
 \$20.00

☐ Money Clips

Total votes: 1561 View results

Reduction System show you how to crop and reduce almost any picture to achieve a perfect fit every time. Best of all, you can change or update pictures as often as you like!

REVIEWS

The New York Times Magazine

"This bracelet is a highlight reel of your family scrapbook to show others in the here and now."

Family Circle

"I like accessories to have personality - mine! Now I can have a bracelet full of my family photos."

MORE REVIEWS

PRODUCT UPDATES

Sign up for notification of new products and special promotions from Memory Maker.

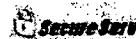
EXTRAS

Coming soon - Beautiful fashion jewelry from Sono Bella!

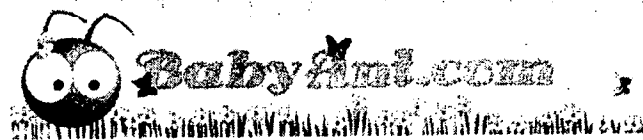
SONOBELLAJEWELRY.COM

[home](#) [cart](#) [account](#) [legal](#) [faq](#) [contact](#) [fundraising](#)

EXHIBIT F



[Home] [Contact Us] [Search] [Registry] [Car



Find

Clothes Toys Care Nursery Travel Gifts



- Ask Baby Registry
- Shop By Brand
- Sale! Corner
- Tell-A-Friend
- Baby Nursery

Cribs & Furniture

- :: Cribs
- :: Cradles & Bassinets
- :: Moses Baskets
- :: Toddler Beds
- :: Playpens & Play Yards
- :: Travel Beds
- :: Changing Tables
- :: Adult Gliders & Rockers
- :: Kid's Rockers &
- :: Ride-On Toys
- :: Tables & Chairs
- :: Armoires
- :: Dressers & Drawer
- :: Chests
- :: Toy Chests
- :: Shelves & Bookcases

Bedding & Linens

- :: Crib Bedding
- :: Cradle & Bassinet
- :: Bedding
- :: Musical Mobiles
- :: Musical Pulldowns
- :: Blankets & Swaddlers
- :: Mattresses, Pads &
- :: Covers
- :: Crib & Furniture
- :: Accessories

Room & Wall Accessories

- :: Wall Decor
- :: Room Decor
- :: Picture Frames
- :: Floor Mats & Rugs
- :: Baby Monitors

Cribs & Furniture

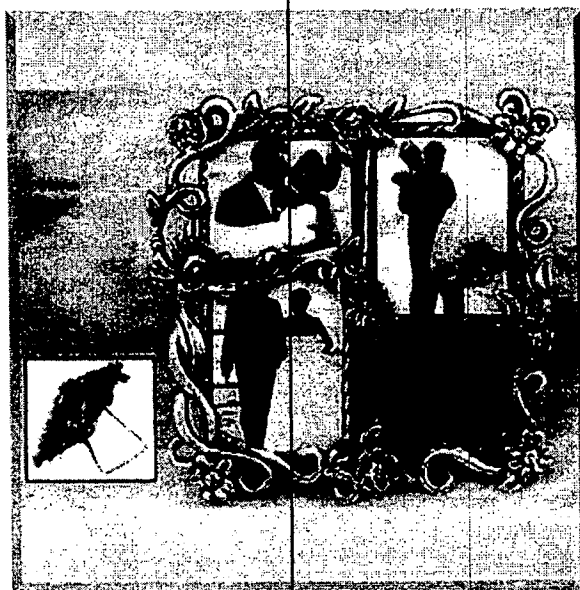
- Cribs
- Cradles & Bassinets
- Moses Baskets
- Toddler Beds
- Playpens & Play Yards
- Travel Beds
- Changing Tables
- Adult Gliders & Rockers
- Kid's Rockers & Ride-On Toys
- Tables & Chairs
- Armoires
- Dressers & Drawer Chests
- Toy Chests
- Shelves & Bookcases

Bedding & Linens

- Crib Bedding
- Cradle & Bassinet Bedding
- Musical Mobiles
- Musical Pulldowns
- Blankets & Swaddlers
- Mattresses, Pads & Covers
- Crib & Furniture Accessories

Room & Wall Accessories

- Wall Decor
- Room Decor
- Picture Frames
- Floor Mats & Rugs
- Baby Monitors
- Nursery Accessories



Memory Maker Photo Pin/ Frame by: Key Item Sales Inc.

Memory Maker Photo Pin/ Frame by: Key Item Sales Inc.. Memory maker is a unique way to share the photos you love with others: create a keepsake using your own photos. Wear or display! A classic

:: Nursery Accessories

Baby Clothes

Baby Boy Clothes

Baby Girl Clothes

Clothing Accessories

Baby Toys

Small Play Toys

Large Play Toys

Baby Care

Feeding

Bathing

Diapering

Health

Safety

Baby Travel

Car Seats

Strollers

Travel Gear

Baby Gifts

Gift Ideas

Gift Certificates

Gift Wrapping & Gift Card

Gift Registry

Site Index

pin with a detachable frame stand. Holds four pictures. Cut your original photos or make duplicates using a color copier. Simple step-by-step instructions show you how to use the EZ-Fit photo reduction system that is included with the pin to make any picture fit perfectly in the miniature frame. The possibilities are endless! Makes a great gift!

 gift wrapping available

 Add to Registry

BN023358 \$19.99 Color: gold 

Add to Cart

[Clothes](#) | [Toys](#) | [Care](#) | [Nursery](#) | [Travel](#) | [Gifts](#)

[Brands](#) | [Sale](#) | [Baby Gallery](#) | [Baby Registry](#) | [Baby Articles](#) | [Tell-A-Friend](#) | [Subscribe](#)

[Home](#) | [About](#) | [FAQ](#) | [Contact Us](#) | [Search](#) | [Shopping Cart](#)

[Affiliate Program](#) | [Privacy Policy](#)

Site designed & maintained by © *SDing Power*, 2006.

© BabyAnt.com, Inc. 1999-2006. All rights reserved.



EXHIBIT G

CAMERA

Real America Real Deals

GO

Call us anytime! 1-877-690-0061

HOME | HELP | VIEW CART | ORDER STATUS | STORE LOCATOR
Digital SLR Digital Cameras Camcorders Printers New! Electronics Binoculars Memory Batteries

Search Need Help Deciding? & Rebates Gift Certificates Digital Prints

CANON | NIKON | SONY | KODAK | PANASONIC | PENTAX | CASIO | HP | OLYMPUS | FUJIFILM | SIGMA

Home > Key Item Sales, Inc Memory Maker Charmed Life Bracelets-#1 Mom

- Gift Center
- Top 10 Sellers
- Product Finder
- Click for Live Help
- Clearance

HACKER SAFE

TESTED DAILY 17-APR

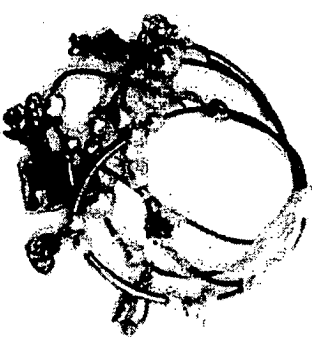
SHOP

- Digital Cameras & Accessories
- Digital Cameras (All)
- Digital SLR
- Compact Cameras
- Camera & Printer Kits
- >> See All

- Film Cameras & Accessories
- Film Cameras
- Camera Lenses
- >> See All

- Camcorders & Video Accessories
- Camcorders
- Camcorder Batteries
- Recording Media

Exclusive!
ONLINE ONLY



Customer Reviews:

SUBMIT A REVIEW FOR A CHANCE TO WIN \$1000!

Key Item Sales, Inc Memory Maker Charmed Life Bracelets-#1 Mom

Put a new twist into scrapbooking! These stretchy bracelets come with beads metal charms and a photo charm all coordinated to a specific theme. Simply add your own picture.

Mfr # MCL-17MOM Our Stock # EP8846956

Our Price: **\$19.15**

No Sales Tax **\$0.00**

Availability: **In Stock**

Usually ships within 24 hours (Mon. - Fri.)
Shipping Charges Apply (click here)

ADD TO CART

- Print Page
- Email to a Friend
- Search all Key Item Sales, Inc
- Question? Email Us

Features Reviews

Put a new twist into scrapbooking! These stretchy bracelets come with beads metal charms and a photo charm all coordinated to a specific theme. Simply add your own picture.

Exclusive! On-line Only

Some manufacturers, including but not limited to; IBM, HP, Sony, Panasonic, Samsung, JVC, Philips, and Microsoft have a NO RETURN POLICY and/or charge a restocking fee to return product. These manufacturers' require you to

>> See All
Printers & Scanners
 All Photo Printers
 Scanners
 Ink Jet Printers
 >> See All

Electronics
 Binoculars & Telescopes

Memory

Batteries

NEW!
Scrapbooking
 Memory Albums
 Frames
 >> See All

Clearance

See All Categories

Shop by Brand

Canon
 Nikon
 Sony
 Kodak
 Panasonic
 Pentax
 Casio
 HP
 Olympus
 Fujifilm
 Sigma

contact them directly regarding the terms and conditions of their Warranty Policy. Exclusive Online Offers are any product with a catalog number beginning with the letters EP. Example: EP0021 Click Here for Complete Return and Exchange Policies for Exclusive On-Line Products

This item is a Limited Special/Online Exclusive Consumer Electronics Product or Heavy / Oversized product and incurs a shipping charge:

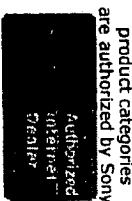
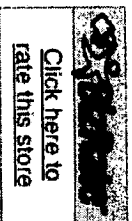
The shipping charge for this item is listed below.

Ground, 7 - 10 Business Days	2nd Business Day	Next Business Day	Saturday Delivery
\$6.95	\$23.90	\$33.90	\$43.90

Why Shop Here	Customer Services	Company Services	Just for FUN	Featured Partners
---------------	-------------------	------------------	--------------	-------------------

About Us | Home | Help | Site Map | Auctions

Your payment information and privacy is guaranteed to be 100% safe & secure.



Visit Sony Store

Terms of Use

©2001-2007 Ritz Interactive, Inc.

EXHIBIT H

scrapjazz

THE SCRAPBOOKING MEGASTORE


[Topics A-Z](#)
[Message Boards](#)
[Layout Gallery](#)
[Megastore](#)
[Quick Store Search](#)
[Type here...](#)
[Megastore](#) : [Home Decor/Jewelry](#) : [Key Charms](#) : [Memory Maker Key Chain W/Frame Charm-Dog](#)

Memory Maker Key Chain W/Frame Charm-Dog

Memory Maker Key Chain W/Frame Charm-Dog

Brand: KEY ITEM SALES, INC

Category: JEWELRY

SKU: 309616

Availability: Unavailable (expected soon)

Reg: \$11.99

Sale: \$10.79

1

[Add to Cart](#)

[click to enlarge](#)

Email Address:

☐ Subscribe

☐ Our Privacy Policy

☒ SJ Newsl

☐ Scrap Tui

☐ Scrapboo

☐ Digital Sc

Newsletters:

☒ HACKE
TESTED

View M...

[Track M...](#)
[Customer](#)
[FAC](#)
[Shippin](#)
[Digital Scr](#)
[Printable](#)
[COUPR](#)
[Adhesives](#)
[Albums & Scrapbooks](#)
[Books](#)
[Cardmaking](#)
[Cardstock & Papers](#)
[Coordinating Collections](#)
[Cutters & Trimmers](#)
[Digital Scrapbooking](#)
[E-Books](#)
[Embellishments](#)
[Fonts](#)
[Gift Certificates](#)
[Home Decor/Jewelry](#)
[Kits](#)
[Paint](#)
[Page Organizing](#)
[Pens & Markers](#)
[Printables](#)
[Punches](#)
[Rub-Ons](#)
[Rubber Stamping](#)
[Software](#)
[Stencils & Templates](#)
[Stickers](#)

Take that special picture with you everywhere you go! Each key chain has a photo frame on the end and one charms that dangles just above it.

Width: 3.09

Height: 5.33

Depth: 0.36

This item can be found in these sections:

[Megastore](#) : [Home Decor/Jewelry](#) : [Key Charms](#) : [Memory Maker Key Chain W/Frame Charm-Dog](#)

[Sticker Makers](#)

[Storage](#)

[Tools](#)

[Totes](#)

[Contests & Prizes](#)

[Customer Support](#)

[Newsletters](#)

[Copyright Scrapjazz.com](#) | [Home](#) | [Topics](#) | [Message Boards](#) | [Gallery](#) | [Megastore](#) | [Affiliates](#) | [Support](#)

[Questions?](#)